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Date: 06 January 2006

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M.S. Reissue	USPTO	571-273-8300	
<b>From:</b>	G. Matthew McCloskey	<b>Direct Phone:</b>	617.535.4082
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<b>Sent By:</b>		<b>Direct Phone:</b>	
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U.S. practice conducted through McDermott Will & Emery  
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PAGE 1/4 \* RCVD AT 1/6/2006 3:49:09 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-6/25 \* DNS:2738300 \* CSID:1 617 535 3800 \* DURATION (mm-ss):01-12

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Suzuki, Isao  
Application Number : 10/718,511  
Filing Date: 20 November 2003  
Reissue Application of: U.S. Patent 6,318,171

Title: **FLOW RATE SENSOR IMPLEMENTING A PLURALITY OF  
INNER TUBES LOCATED WITHIN A SENSOR TUBE**

Examiner: Harshad R. Patel  
Art Unit: 2855  
Docket Number: 56231-452 (MKS-Re)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile (571-273-8300) and is addressed to: M.S. Reissue  
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  
Date: 1/06/06 G. Matthew McCloskey

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M.S. Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Submitted herewith is a reissue declaration signed by the Applicant and specifically referencing all  
pending claims in the above-referenced reissue application.

Respectfully submitted,

McDermott Will & Emery LLP

Date: 6 January 2006

Toby H. Kusmer, P.C., Reg. No. 26,418  
G. Matthew McCloskey, Reg. No. 47,025  
28 State Street  
Boston, MA 02109-1775  
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BST99 1486791-1.056231.0452

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/718,511  
In re Reissue Application of: Suzuki; Isao  
Reissue Filing Date: 20 November 2003  
U.S. Patent No. 6,318,171  
Issue Date: November 20, 2001  
Based upon Appl. No. 09/451,927  
Filing Date: December 1, 1999  
Title: **FLOW RATE SENSOR IMPLEMENTING A  
PLURALITY OF INNER TUBES LOCATED WITHIN  
A SENSOR TUBE**  
Attorney's Docket No: 56231-452 (MKS-RE)

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P.O. Box 1450  
Alexandria, VA 22313-1450

**REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY  
BY ISAO SUZUKI**

Sir:

I, Isao Suzuki, declare that:

1. My residence address is 167 Harakomiya Akiruno-city, Tokyo, Japan.
2. I am a citizen of Japan.
3. I believe I am the original, first and sole inventor of the subject matter that is described and claimed in United States patent number 6,318,171 ("the '171 patent" hereinafter), granted on November 20, 2001, and for which I solicit a reissue patent.
4. For the above-referenced application, a claim of priority is made to Japanese Patent Application No.: 10-341800 filed on December 1, 1998 and Japanese Patent Application No.: 11-172854 filed on June 18, 1999.
5. I have read and understand the contents of the above-referenced reissue application, including the specification and claims, as amended 28 December 2004.

1

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6. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

7. I believe the '171 patent to be wholly or partly inoperative or invalid by reason of my claiming less than I had a right to claim in the patent. Specifically, a flow rate sensor for detecting a flow rate of a fluid not including a sensor tube guide, was not claimed in the patent.

8. The above-identified error in the '171 patent has been corrected in the above-referenced reissue application by adding new claims 9-20. In particular, claims 9-20 are directed to a flow rate sensor that does not include a sensor tube guide.

9. The above-identified error(s) in the '171 patent arose without any deceptive intent.

10. I appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Toby H. Kusmer  
Elizabeth E. Kim

Reg. No. 26,418  
Reg. No. 43,334

David M. Mello  
G. Matthew McCloskey

Reg. No. 43,799  
Reg. No. 47,025

---

**SEND CORRESPONDENCE TO:**

Toby H. Kusmer  
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28 State Street  
Boston, MA 02109

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**DIRECT TELEPHONE CALLS TO:**

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Telephone: (617) 535-4065  
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11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

Jan. 6, 2006

Isao Suzuki

